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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,470	03/16/2004	Rajendra Khare	15469US01	2007
23446	7590	03/08/2007	EXAMINER	
MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			AFSHAR, KAMRAN	
			ART UNIT	PAPER NUMBER
			2617	
SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE		
3 MONTHS	03/08/2007	PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No.	Applicant(s)
	10/801,470 <i>K.A.</i> Kamran Afshar, 571-272-7796	KHARE ET AL. Art Unit 2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 2/27/2007.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-23 is/are pending in the application.
 4a) Of the above claim(s) 17-23 is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-16 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 16 March 2004 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input checked="" type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>01/24/2007</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION***Election/Restrictions***

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-16 (**group I**), drawn to a mobile terminal / a method that a pseudo-random number generator for generating pseudo-random numbers to provide a password, classified in class 455, subclass 550.1.
 - Claims 17-23 (**group II**), drawn to transmitting, receiving a seed and a command to load the seed into a pseudo-random number generator, to a predetermined mobile terminal over a paging channel, classified in class 455, subclass 434.The inventions are distinct, each from the other because of the following reasons:
2. Inventions of **group I** and **group II** are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention of group II has separate utility such as transmitting, receiving a seed and a command to load the seed into a pseudo-random number generator, to a predetermined mobile terminal over a paging channel. See MPEP § 806.05(d).
3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Mr. Mirut Dial, Reg. No.: 44052 on 2/27/2007, a provisional election was made without traverse to prosecute the invention of Group I, claims 1-16. Claims 17-23 are hereby canceled.
5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any

amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-2, 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain (U.S. 7,155,22 B1) in view of Premat (WO 03/065676 A1).

With respect to claim 1, Jain discloses a method comprising: receiving a registration, wherein registration includes an identifier identifying a mobile terminal (See e.g. registration information, mobile identification, MIN, IMSI, phone number, etc., Co. 3, Lines 39-43, Co. 4, Lines 42-46); and transmitting information to the mobile terminal (See e.g. 11, Lines 4-18). However, Jain does not disclose a method for providing a password, the password being function of the information. In an analogous field of endeavor, Premat discloses a method for providing a password, the password being function of the information (See e.g. identification information, user identity, name, password, log-in, etc. Page 10, Lines 12 – Page 11, Line 4). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Premat to Jain to provide a secured control access method / device / system using user's identifications information transmitting a secured password via wireless communication network in an encrypted form to prevent eavesdropping by unauthorized user as suggested (See Premat, Page 1, Line 25 – Page 2, Line 9).

Regarding claim 2, Premat discloses the identifier comprises a phone number (See e.g. Mobile phone number, Page 5, Liens 7-14).

Regarding claim 6, Jain discloses transmitting the information to the mobile terminal (See e.g. registration information, mobile identification, MIN, IMSI, phone number, etc., Co. 3, Lines 39-43, Co. 4, Lines 42-46) comprises: placing an outgoing phone call to the mobile terminal (See e.g. originating a call, 11, Lines 4-18).

Regarding claim 7, Permat discloses generating time varying passwords based on the information; receiving a request for access and a provided password (See e.g. identification information, user identity, name, password, log - in, etc. Page 10, Lines 12 – Page 11, Line 4); and selectively granting access based on whether the provided password matches a particular one of the time varying passwords (See e.g. matching, one-time log-in, during a limited time period, Page 10, Line 28, timer started, S4, Page 11, Lines 5-9).

8. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jain (U.S. 7,155,22 B1) in view of Premat (WO 03/065676 A1) further in view of Billhartz (U.S. Pub. No.: 2003/0210787 A1).

Regarding claims 3-4, combined Premat and Jain disclose everything as discussed above in rejected claim1, However, Premat and Jain do not teach the information comprises a seed or a MAC address. In an analogous field of endeavor, Billhartz discloses the information comprises a seed (See Billhartz e.g. Page 1, Lines 3 of ¶ [0010]) and the MAC address (See Billhartz e.g. Page 1, Lines 3 of ¶ [0010]). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Billhartz combined Premat and Jain enabling a service provider to identify the service and the information device (or mobile device) that receives the service, thereby preventing an unauthorized access (See Premat, Page 1, Line 25 – Page 2, Line 9).

Regarding claim 5, Premat discloses the seed is a function of time (See Permat e.g. one-time log-in, during a limited time period, Page 10, Line 28, timer started, S4, Page 11, Lines 5-9).

9. Claims 8-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Peterson (U.S. 6,266,525 B1) in view of Yamamoto (U.S. Pub. NO. 2003/0031229 A1).

With respect to claim 8, Peterson discloses a mobile terminal (See e.g. 18 of Fig. 1) comprising: a transceiver for receiving a seed (See e.g. 18, 20, 12 of Fig. 1); a pseudo-random number generator for generating pseudo-random numbers, a controller for providing the seed to the pseudo-random number generator (See e.g. 22 of Fig. 1). However, Peterson does not explicitly disclose that generating pseudo-random numbers at regular time intervals based on the seed; a controller for providing the seed to the pseudo-random number generator; and an output for providing passwords based on the pseudo-random numbers at regular time intervals. In an analogous field of endeavor, Yamamoto discloses a similar mobile terminal that the seed at regular time intervals generated; a controller for providing the seed to the pseudo-random number generator; and an output for providing passwords based on the pseudo-random numbers at regular time intervals (See Yamamoto e.g. generating time seed, controller, service code, etc. Page 1, ¶ [0013], ¶ [0017], 1, 7, 4, 5 of Fig. 2). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Yamamoto to Peterson providing a service code (or password or pass-code or PIN) according to the time seed that is updated regularly in synchronism with the time seed in the information device. Thus, the service provider can identify the service to be provided and the service information device to be provided with the service, making it possible to eliminate unauthorized access as suggested (See Yamamoto, Page 2, Lines 1-8 of [0032]).

Regarding claim 9, Yamamoto discloses the output comprises a screen (See Yamamoto, 2 of Fig. 2).

Regarding claim 10, it is obvious that the output comprises an interface port (See e.g. 4 of Fig. 2, modem, Internet, wired connection port or interface, Page 2, Lines 15-21 of ¶ [0035]).

Regarding claim 11, it is obvious that the passwords are the pseudo-random numbers (See Peterson e.g. Co. 3, Line 62 – Co. 4, Line 15).

Regarding claim 12, it is obvious that memory for storing a plurality of instructions executable by the controller, the plurality of instructions for: receiving a command and a seed; and loading the seed into the pseudo-random number generator after receiving the command

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(See Peterson e.g. Co. 3, Line 62 – Co. 4, Line 15, Yamamoto e.g. Page 2, Lines 29-36 of ¶ [0035]).

Regarding claim 13, it is obvious that the plurality of instructions are also for receiving a synchronization time and wherein loading the seed into the pseudo-random number generator after receiving the command further comprises loading the seed into the pseudo-random number generator at the synchronization time (See Yamamoto, Page 2, Lines 1-8 of [0032]).

10. Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peterson (U.S. 6,266,525 B1) in view of Yamamoto (U.S. Pub. NO. 2003/0031229 A1) further in view of Goldman (U.S. 5,905,944).

Regarding claim 14, combined Yamamoto and Peterson disclose everything as discussed above in rejected claim 8. However, Yamamoto and Peterson do not disclose that the command and seed are received over a paging channel. In an analogous field of endeavor, Goldman discloses a communication over a secure paging channel (See e.g. Title, Lines 1-6 of Abstract, Co. 1, Lines 35-40). Therefore, it would have been obvious to one ordinary skill in the art at the time of the invention to provide above teaching of Goldman to combined Yamamoto and Peterson to provide a system and method for secure communication of access information to a telecommunications network and for using network over a secure paging channel as suggested (See Goldman e.g. Co. 1, Lines 35-40).

Regarding claim 15, it is obvious the paging channel is a secure paging channel (See Goldman e.g. Co. 1, Lines 35-40).

Regarding claim 16, it is obvious that the command and seed are received during a phone call (See Yamamoto, user calling the server, e.g. Page 3, ¶ [0052]).

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a) Karaoguz (U.S. Pub. No.: 2005/0239445 A1).

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b) Relan (U.S. Pub. No.: 2005/0216728 A1).

c) Schmitz (U.S. 6,078,908).

d) Engberg (U.S. 6,993,658 B1).

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Kamran Afshar whose telephone number is (571) 272-7796. The examiner can be reached on Monday-Friday.

If attempts to reach the examiner by the telephone are unsuccessful, the examiner's supervisor, **Eng, George** can be reached @ (571) 272-3984. The fax number for the organization where this application or proceeding is assigned is **571-273-8300** for all communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Kamran Afshar


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